

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

APR 25 2024

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: CHRISTINE WHALEN; et al.

CHRISTINE WHALEN; et al.,

Petitioners,

v.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF  
CALIFORNIA, SAN FRANCISCO,

Respondent,

ALBERTSONS COMPANIES, INC.; et al.,

Real Parties in Interest.

No. 24-2086

D.C. No. 23-cv-00459-VC  
Northern District of California,  
San Francisco

ORDER

Before: BENNETT, R. NELSON, and MILLER, Circuit Judges.

Petitioners have not demonstrated a clear and indisputable right to the extraordinary remedy of mandamus. *See In re Mersho*, 6 F.4th 891, 897 (9th Cir. 2021) (“To determine whether a writ of mandamus should be granted, we weigh the five factors outlined in *Bauman v. United States District Court.*”); *Bauman v. U.S. Dist. Court*, 557 F.2d 650 (9th Cir. 1977). Accordingly, the petition for a writ of mandamus is denied.

**DENIED.**